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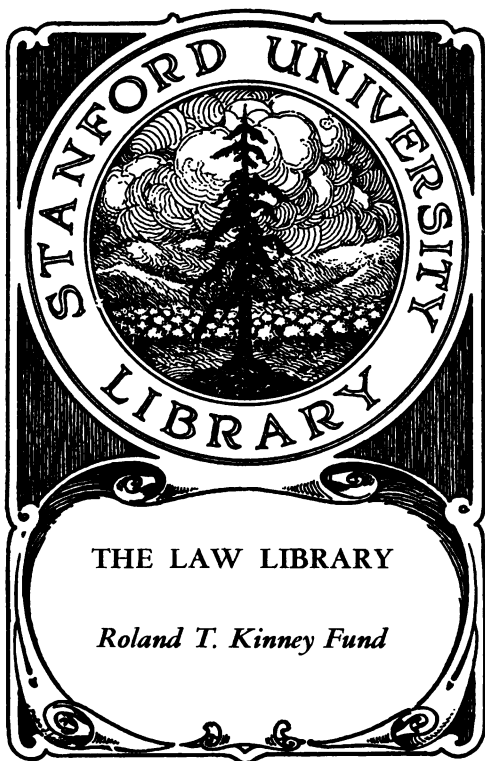
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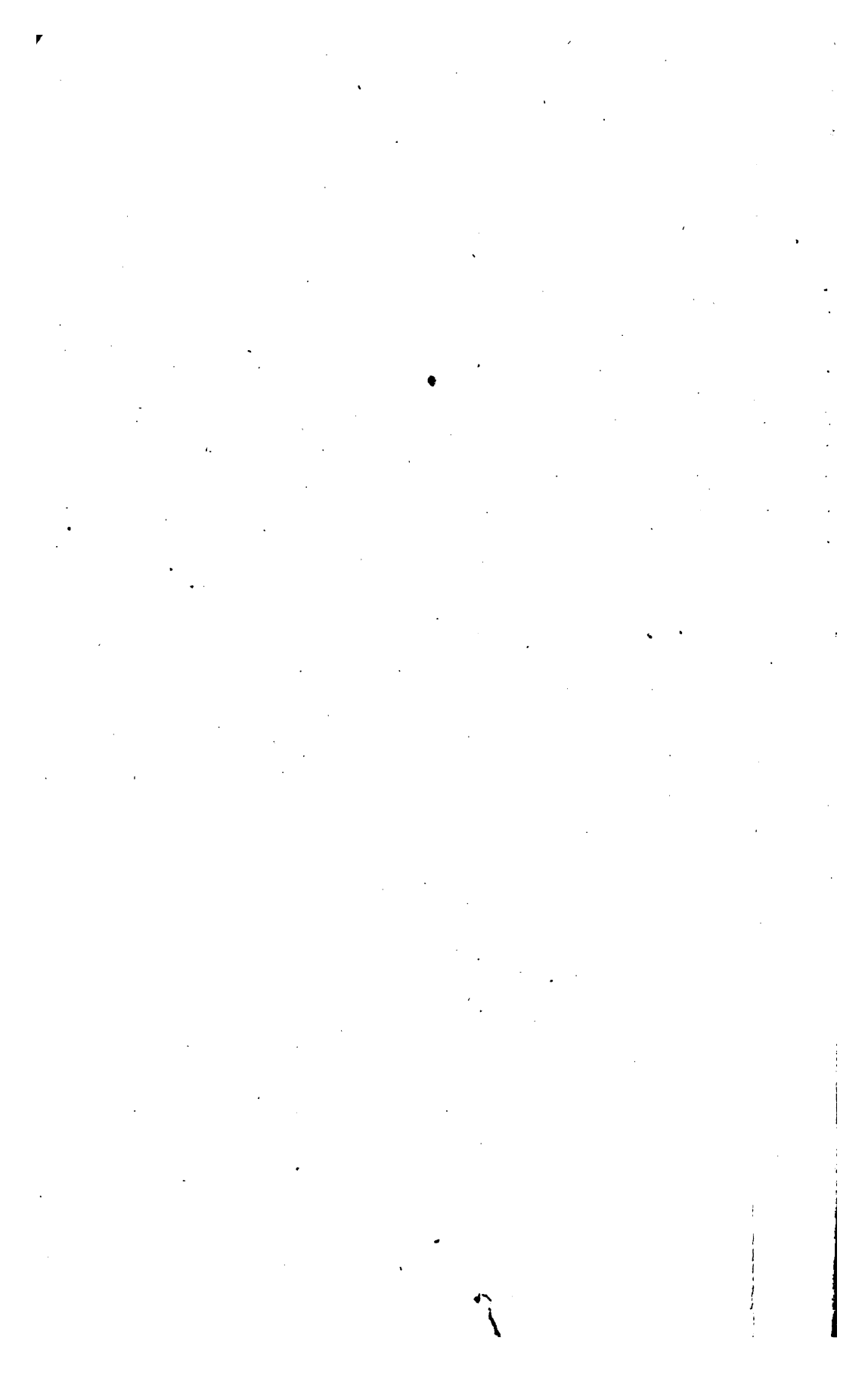
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Arrangements

MR. WHIPPLE'S
DISCOURSE,
ON
THE LIFE AND SERVICES
OF
DANIEL WEBSTER.



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A
DISCOURSE
IN
COMMEMORATION OF THE LIFE AND SERVICES
OF
DANIEL WEBSTER,
DELIVERED BEFORE THE CITIZENS OF PROVIDENCE,
NOVEMBER 23, 1852.
BY JOHN WHIPPLE, LL. D.

PROVIDENCE:
KNOWLES, ANTHONY & CO., PRINTERS.
1852.

PRELIMINARY PROCEEDINGS.

Pursuant to notice previously published, a numerous and highly respectable meeting of the citizens of Providence was held at Mechanics Hall, on Thursday November 4th. HON. JOHN PITMAN of the United States District Court was called to the Chair, and AMOS D. SMITH, Esq. was appointed Secretary. After some brief and impressive remarks by the Chairman, the following Resolutions were offered by the Rev. Dr. CASWELL, upon which the meeting was addressed by HON. ALBERT C. GREENE, THOMAS F. CARPENTER, Esq. Rev. DR. HALL, President WAYLAND, and HON. A. C. BARSTOW, Mayor of the city.

Resolved, That the death of Daniel Webster, which occurred on the morning of the 24th of October last, at his residence in Marshfield, Mass., is an event which awakens the unaffected sorrow and merits the gravest consideration of the American people.

Resolved, That while we bow with submission to the dispensation of Divine Providence, which removed him from this life in the full possession of his great powers and while discharging with honor to his country many of the most important administrative duties of the government, it becomes us to cherish his memory as a part of our truest national glory and to do what we can to transmit to those who come after us, our high appreciation of his long and varied and preeminent public services.

Resolved, That as a scholar and writer, thoroughly master of the English tongue, and inculcating in the immortal productions of his pen, sentiments of the loftiest patriotism, the purest Christian morality and the reverence of all things sacred; as an orator endowed with the rarest powers of forensic and parliamentary eloquence, always directed to worthy ends; as a jurist and statesman of far-reaching and consummate ability; and more than all, as the great expounder and defender of the Constitution of these United States, by which our dearest rights and privileges are made secure, and social harmony established throughout our wide domain, he justly claims of every American citizen the most profound respect and admiration.

Resolved, That a Committee of eight be appointed by this meeting to make arrangements for the early delivery of a public discourse commemorative of the life and services of Daniel Webster.

JOHN WHIPPLE, Esq.

DEAR SIR:—The undersigned embrace the earliest opportunity to present to you their sincere thanks for the eloquent and very appropriate discourse pronounced by you this day, in commemoration of the character and services of DANIEL WEBSTER.

Believing that it will be read with interest, and that its circulation will conduce to the public good, they respectfully request on behalf of their fellow citizens as well as themselves, a copy for publication.

ALEXIS CASWELL,
JOHN PITMAN,
AMOS D. SMITH,
ALBERT C. GREENE,
THO'S. F. CARPENTER,
MOSES B. IVES,
WILLIAM W. HOPPIN,
G. W. HALLET.

} Committee
of
Arrangements.

Providence, Nov. 23, 1852.

PROVIDENCE, NOVEMBER 23, 1852.

Gentlemen:—I return you my sincere thanks for the flattering estimate you have expressed of the discourse I had the honor of delivering to-day in commemoration of the character and services of DANIEL WEBSTER, and in accordance with your wishes, I submit it to your disposal.

Most respectfully, yours,

JOHN WHIPPLE.

Messrs.

ALEXIS CASWELL,
JOHN PITMAN,
AMOS D. SMITH,
A. C. GREENE,
THO'S. F. CARPENTER,
MOSES B. IVES,
WM. W. HOPPIN,
G. W. HALLET.

} Committee
of
Arrangements.

DISCOURSE.

MY FRIENDS AND FELLOW CITIZENS :

It is good for us that we are here. It is *of* good and *for* good, that we come up to this temple of religious worship to mingle our spirit with the spirit of him, whose loss we so deeply deplore ; of him whose whole life exhibited in an eminent degree the two grand principles of human action, which above all other principles elevate and ennoble our nature ; the worship of the God whom he adored, and the service of the country he loved. These were as prominent elements of his life, as earth and air and ocean, are prominent elements of the globe we inhabit.

Reason and a deep consciousness of future responsibility were not bestowed upon us without an object. It is true that for some wise purpose beyond our power to comprehend, God has bestowed upon man every degree of physical power ; from the broad and compact frame of the giant, down almost to the helpless weakness of the infant ; every measure of intellectual light and strength, from the effulgent mind of Bacon, down to the almost total darkness of the idiot. But he has bestowed upon all a deep and abiding sense of responsibility somewhere and somehow, which we can no more escape from than from the shadows of our bodies in the sunlight of heaven. There they cast themselves upon the earth we

inhabit, and follow us as conscience follows our spirit, until the darkness of the tomb envelopes us. The body will decay and its shadow be no more. But the spirit is not of earth, and earth cannot destroy it. Hence the universal consciousness among all nations, ancient and modern, of a state of future responsibility.

Mr. Webster died as he had lived, calm, dignified and self-possessed. Like the Roman senator he folded his robes around him and met the king of terrors with the dignity of a man, and the humility of a Christian.

The most prominent events in the life of this great man are already before the public. Reminiscences from the pen of Mr. March, and at a later period his biography by Mr. Edward Everett, have done full and ample justice to their subject. His speeches and other great efforts in the cause of human freedom and the advancement of human civilization, are also published. All who feel an interest in the characters and services of the great statesmen of modern days, have probably read his works, and are familiar with the prominent features of his character. In the short period usually allowed to occasions like the present, it will be impossible for me to present to you the whole of Daniel Webster. I can only furnish specimens here and there of his great mind and his great deeds. One or two outpourings from *Ætna* or *Vesuvius* will give some idea of the fires within their capacious bosoms.

Mr. Webster, it seems was born on the 18th of January, 1782, three months after young Hamilton and his three intrepid followers were the first to scale the walls of Yorktown. He first saw the light of heaven reflected from the snow drifts of a cold and mountain country. He was born on the very outside of civilization, on the

borders of a forest nearly two hundred miles in extent, inhabited by ferocious savages. He was the second son of Ebenezer Webster and Abigail Eastman, a second wife. "Ebenezer, the father," says the biographer, "is still recollected in Kingston and Salisbury. His personal appearance was striking. He was erect, of athletic stature, six feet high, broad and full in the chest. Long service in the war had given him a military air and carriage. He belonged to the intrepid border race which lined the whole frontier of the Anglo-American colonies, by turns farmers, huntsmen, and soldiers, and passing their lives in one long struggle with the hardships of an infant settlement, on the skirts of a primeval forest."

"Ebenezer Webster enlisted early in life as a common soldier in one of those formidable companies of Rangers which rendered such important services under Sir Jeffrey Amherst and Wolfe, in the Seven Years War. He followed the former distinguished leader in the invasion of Canada, attracted the attention and gained the good will of his superior officers, by his brave and faithful conduct, and rose to the rank of a captain before the end of the war."

After the peace of 1763, Captain Webster and other retired officers and soldiers obtained a grant from the principal grantee of the town of Salisbury. Captain Webster received his allotment in its northerly portion. He cut his way deeper into the wilderness than others, and made the path he could not find. At this time his nearest civilized neighbors on the northwest, were at Montreal.

It is further stated in the touching biographical sketch that the mother of Daniel Webster, "like the mothers of so many men of eminence, was a woman of more than

ordinary intellect, and possessed a force of character which was felt throughout the humble circle in which she moved. She was proud of her sons and ambitious that they should excel. Her anticipations went beyond the narrow sphere in which their lot seemed to be cast, and the distinction attained by both, and especially by the younger, may well be traced in part to her early promptings and judicious guidance."

"In the war of our Revolution it seems that like so many of the officers and soldiers of the former war, his father obeyed the first call to arms in the new struggle. He commanded a company chiefly composed of his own townspeople, friends and kindred, who followed him during the greater portion of the war. He was at the battle of White Plains, and was at West Point when the treason of Arnold was discovered. He acted as Major under Stark at Bennington, and contributed his share to the success of that eventful day."

If I have ever been fervently impressed with the power of God, if I have ever had a deep and overwhelming religious feeling, or a heartfelt conviction of the mere dust that we are, it has arisen from a survey of His stupendous works. Ever since He said, "let there be light, and there was light"—ever since He spread out the vast and, to our feeble minds, illimitable expanse of suns and moons and planets, placed at distances and moving with velocities which the strongest imaginations are unable to form a conception of, has there existed in the human mind a deep religious feeling. Somewhat akin to this is that next great feeling, the love of country. It is breathed into us, often in our infancy, by the scenery around us, full of sublimity, and by the lofty minds we

daily commune with, all glowing with intense and burning patriotism. The father of Daniel Webster was not simply Ebenezer Webster, a farmer of New Hampshire, but *Ensign* Webster, *Captain* Webster, and then *Major* Webster, one of the heroes of two wars, fighting the battles of his country, and in every battle, whether with the savages of the forest, the Canadian French, or later, against veteran British troops, always in the front rank of his little band of Spartan heroes. His stature was majestic, and his heart corresponded with his stature.

The grandeur of the scenery which encircled the infancy of young Webster, the lofty mountain chain beneath the shade of which he passed his early days, its foaming torrent streams, the Alpine snow-drifts, and the solemn eloquence of the dense and uninhabited forest, were not lost upon him. There existed another circumstance, probably stronger than most men in these days of peace and security will at once allow. Most of the officers and soldiers of the Revolution were young men, from eighteen to twenty-five. When peace was established in 1783, they returned to their homes, still in middle life. Mr. Webster himself informs us that New Hampshire enlisted more men than any other State in the Union, and that there was not a battle fought, from Lexington to Yorktown, in which New Hampshire blood was not spilled. Of the three hundred and twenty thousand troops enlisted during the revolutionary war, more than one half were from New England. We all of us know the loftiness, the devotedness, the intense love of country which these patriotic soldiers evinced during their remaining lives. War songs, recounting their deeds of heroism, and recounting their sufferings, were almost daily sung in every log cabin and farm house in New

Hampshire. It requires, therefore, but a little of the license allowed the poet to say, that while young Webster was rocked to sleep by a mother's hand, he listened to patriotic songs from a mother's lips. His infancy and his youth were passed amid the same inspiring influences. Can we fail to see in this the seeds of an intense national feeling early implanted and gradually spreading over his whole character? He became ambitious to serve his country. But long years of peace ensued. All prospect of military fame had terminated. He therefore longed for an education that he might distinguish himself in some other way. But his father had a large family to support, and his heart forbade his making known his ardent desire for intellectual culture. At a subsequent period, when returning home in a sleigh, his father communicated to him his intention of sending him to college for an education. The heart of young Webster was so full that he could not speak. "He leaned his head upon his father's arm and wept." This is the stuff that patriots are made of. It tells its own story.

He was then fifteen years old. He prepared for college, and entered Dartmouth in 1797. During the vacations he taught a school in order to pay the expense of his brother's education. But Mr. Ticknor informs us, "that while in college he was already in the estimation of those who knew him, a marked man, and that to the more sagacious of them the honors of his subsequent career have not been unexpected."

He graduated in 1801, and entered the office of Mr. Thompson, a neighbor of his father, as a student of law. Mr. March informs us that he remained in the office "until he felt it necessary to go somewhere and earn a little money." He took charge of an academy at Fryeburg,

in Maine, upon a salary of one dollar per day, and acted as assistant to the Register of Deeds for the county. In this way he saved a fund for his own professional education and to help his brother through college.

In 1804 he entered the office of Christopher Gore in Boston, where he pursued his legal and other studies with diligence and ardor. In the spring of 1805 he was admitted to the practice of the law in the Court of Common Pleas for Suffolk county. Mr. Gore, in recommending him, says Mr. Everett, "dwelt with emphasis on the remarkable attainments and uncommon promise of his pupil, and closed with a prediction of his future eminence."

Mr. Webster opened an office at Boscawen, near his father's residence. His father, who had been appointed Judge of the Court of Common Pleas, died within a year after he commenced his practice.

In 1807, Mr. Webster was admitted as an attorney and counsellor of the Supreme Court of New Hampshire, and removed to Portsmouth, where he remained in the practice of his profession for nine successive years. During this period he was often associated with Samuel Dexter, Joseph Story, and Jeremiah Mason, and often opposed to them.

In the month of November, 1812, he was elected a Representative to the Congress of the United States, and took his seat at the first session of the thirteenth Congress, which was an extra session, called in May, 1813.

Henry Clay was then Speaker of the House. Calhoun, Lowndes, Pickering, and Gaston were among its leading members. In the organization of the House, Mr. Webster was placed by the Speaker upon the Committee of Foreign Affairs, a select committee at that time, and necessarily in time of war the most important one.

Early in the session he moved a series of resolutions relative to the repeal of the Berlin and Milan decrees, and on the 10th of June, 1813, he delivered his maiden speech upon these resolutions.

Mr. Everett informs us that "it was marked by all the characteristics of Mr. Webster's maturest parliamentary efforts, moderation of tone, precision of statement, force of reasoning, absence of ambitious rhetoric and high flown language, occasional bursts of true eloquence, and, pervading the whole, a genuine and fervid patriotism."

Mr. March gives a still more glowing account of this first parliamentary effort.

Chief Justice Marshall, a cooler head, in writing to a friend, remarks, "I did not then hesitate to state that Mr. Webster was a very able man, and would become one of the first statesmen in America, and perhaps the very first."

Mr. Webster had now fairly launched his bark upon the great ocean of public life. He commenced with the stars and stripes streaming aloft, and he never lowered them to foreign force or foreign influence; he never dimmed their bright and vivid coloring during the whole period of his public service. It must be remembered that he was but thirty-one years of age, and that much of the mature part of his life had been employed in his labors at the bar. It must also be remembered that he was opposed to most of the measures of the existing administration. Yet in his speech in 1814 he uses the following language, showing that his country and not his party reigned supreme in his mind; "Give up your futile projects of invasion. Extinguish the fires which blaze on your inland frontiers. Unclench the iron grasp of your embargo. With all the war of the enemy on

your commerce, you would still have some commerce left, if you would cease to make war upon it yourselves. That commerce would give you some revenue; apply that revenue to the augmentation of your navy. That navy will in turn protect your commerce. Let it no longer be said that not one ship of the four built by your hands since the war, yet floats upon the ocean. There the united wishes and exertions of the nation will go with you. Even our party divisions, acrimonious as they are, cease at the water's edge."

This and other similar efforts gained for him the reputation indicated by the well known remark of Mr. Lowndes, of South Carolina, "that the *North* had not his *equal*, nor the *South* his *superior*." "It must be remembered too," observes his biographer, "that these views were announced a considerable time before Hull, Bainbridge, and Decatur, had broken the spell of British naval supremacy."

In August, 1814, Mr. Webster was re-elected to Congress. At the close of the first session, in August, 1816, he removed to Boston, and for several years devoted himself exclusively to his profession. During this period he was employed in most of the important cases in Massachusetts, and many in other States, and by his masterly logic and commanding eloquence established a reputation in his own and in our mother country, if not unequalled, certainly not surpassed by any of his contemporaries.

In the autumn of 1822, Mr. Webster was elected a member of Congress from the city of Boston, for the session which commenced in December 1823. This election was after repeated refusals on the part of Mr. Webster. In complying with the earnest and anxious

desire of the great majority of the citizens of Boston, he felt that he was making larger sacrifices of duty to his family than the peaceful condition of national affairs required. Mr. Everett informs us "that he was at last called upon in a manner, which seemed to him imperative, to make the great sacrifice." Few men, here or elsewhere, have made so great a pecuniary sacrifice. He was at the time at the very head of his profession. It was a period when the dockets of the courts were filled with cases involving large questions and large amounts, and Mr. Webster himself must have felt that a considerable portion of the amount in dispute would, as is generally the case, find its way into professional pockets.

Perhaps I may not improperly here introduce what may possibly be useful to the rising generation, the little I know of Mr Webster's system of mental culture.

I had directions from a client, in 1818 or 1819, to consult him in a case of some importance, a case in which were presented numerous and cross questions of law and equity, so ensnarled and entangled, that it required days and weeks of hard labor to discover a channel way over its shoals, and amid its rocks. I called on Mr. Webster on the evening of my arrival in Boston and stated the nature of the case. He saw its difficulties and observed that the early morning was the period for such a labor, and requested me to meet him in his study at an early hour, which I accordingly did. Before the hour of dinner, he had threaded all the avenues and cross paths of the labyrinth, and he gave an opinion so clear and so comprehensive, that at the dinner table I was induced to ask him what had been his system of mental culture. He gave me an outline and the reasons in support of it. It was this ; that so far as training is

concerned, the system which experience has shown to be most conducive to physical, is equally conducive to mental power. That the training in both cases should be the same, that it is a law of our natures, that the body or the mind that labors constantly, must necessarily labor moderately. He instanced the race horse, which by occasional efforts, in which all its power is exerted, followed by periods of entire rest, would in time add very largely to its speed ; and the great walkers or runners of our own race, who from small beginnings, when fifteen or twenty miles a day fatigue them, would in the end, walk off fifty miles at the rate of five or six miles an hour. I think that he also mentioned the London porter, who at first staggering under a load of one hundred and fifty or two hundred pounds, would in time carry six or eight hundred pounds with apparent ease. The same law governs the mind. When employed at all, all its powers should be exerted to its utmost. Its fatigue should be followed by its entire rest. He stated that he was generally in his study at five in the morning, that whatever mental occupation employed him, he put forth all his power, and when his mental vision began to be obscure, he ceased entirely and resorted to some amusement or light business, as a relaxation. I remember distinctly his quotation from Chesterfield ; "do one thing at a time, and whatever is worth doing at all is worth doing well."

I cannot remember the language but these were his general views. His views of mental culture led me to some thought and reflection which ended in the entire conviction, that the great object in view is mental power and not mental acquisition alone. The greatest readers are seldom the most profound thinkers. The mechanics

with the greatest variety of tools are not always the best workmen. Books, as Bacon observes, are but helps to the mind. Eloquence, such as Hamilton's, Henry's, Dexter's and Webster's, or Shakspeare's and Demosthenes', rarely proceeds from men of great learning. It is intense thinking, the slow and painful process of concentrating all the powers upon a given subject, that lies at the foundation of eloquence. Mr. Webster was an eminent instance. I was in Washington during the debate in the Senate principally by Hayne and Webster, but my professional engagements deprived me of the pleasure of listening to it. After the delivery of the speech of Mr. Webster, many if not all the members at our table, among many other laudatory remarks, commended it for the novelty of its views of the Constitution. When I came to the reading of the printed speech I recognized what I had seen or heard before, and finally traced the source of these impressions back to Mr. Webster himself. In a long walk on Rhode-Island, in the year 1822, he propounded to me for my opinion, a number of supposed cases of conflict between the General and the State Governments. I replied that they were questions of entire novelty which I had never thought of. He went on to give his views which he did somewhat at large. From that day up to the reading of his great argument, I had not bestowed a thought upon them. The first opportunity I had, I asked Mr. Webster if he recollected our walk upon Rhode Island. He said perfectly well, and he also said that he had occupied a large portion of his leisure hours upon the Constitution of the United States, and that probably no question could well arise between the power of the States and that of the United States, which he was not

as ready to discuss as he ever could be. Mr. Justice Story, to whom I mentioned the circumstance, also stated that to his certain knowledge, Mr. Webster required little or no preparation for questions of that character ; that he had thought deeply and intensely on the subject for years, and was therefore prepared at any time and upon any occasion.

I may also add as an illustration of the elevation of his character, that I have often been associated with Mr. Webster and have often been opposed to him before the judicial tribunals of the country, that I have heard his arguments in the Supreme Court of the United States, in most of the great cases in which he was concerned as counsel ; that I was also in his confidence in some political movements of great delicacy, and have often conversed with him in relation to the character and conduct of the leading men of the opposite party, as well as of his own political rivals, and that from the beginning to the end of my acquaintance with him, I never heard him speak disparagingly of any one of these gentlemen nor of any other human being.

I have stated that Mr. Webster had consented to comply with the wishes of the people of Boston, and that he had been elected as their Representative to the Congress of 1823. His biographer, Mr. Everett, the sincere and highly gifted friend of Mr. Webster states, "it was the main inducement of Mr. Webster in returning to political life, that the cessation of the coarse conflict of party warfare seemed to hold out some hope, that statesmanship of a higher order, an impartial study of the great interests of the country, and a policy aiming to promote the development of its vast natural resources might be called into action."

At this period it will be remembered that Mr. Monroe was the President of the United States, and that party politics which had lost some of their bitterness during the wise and impartial administration of Mr. Madison, had almost ceased to exist under the administration of his successor, James Monroe.

Europe, however, was in a convulsive and agitated state. Revolutions had broken out in Naples, in Piedmont, and in Spain, while a fierce war was raging in Greece between the Turk and the Greek. Mr. Monroe had in his messages, the two previous sessions, called the attention of Congress to this subject, but no action of either House had been had upon it. In the beginning of the session, Mr. Webster submitted to the House of Representatives, the following resolution:

Resolved, That provision ought to be made by law, for defraying the expenses incident to the appointment of an Agent or Commissioner to Greece, whenever the President shall deem it expedient to make such appointment.

This resolution was supported by a masterly speech from Mr. Webster. It evinces in the clearest manner his earnest desire that all other nations might have extended to them the civil and political freedom, the blessings of which we had so fully enjoyed. His speech was delivered to a crowded house, on the 19th of January, 1824. The great reputation which had been acquired by Mr. Webster, by his speeches in the House of Representatives six years before, his unsurpassed efforts at the bar in the interval, as well as several addresses of a national character, filled the house at an early hour. Mr. Everett very justly says of this speech, "it was as remarkable for what it did not, as for what it did say." His heart was animated with the the most earnest wish

and the ardent hope, that something might be done for the down trodden Greek. His exordium is filled with a power and beauty which Webster and Webster alone could at any time command.

"An occasion," he says, "which calls the attention to a spot so distinguished, so connected with interesting recollections, as Greece, may naturally create something of warmth and enthusiasm. In a grave political discussion, however, it is necessary that those feelings should be chastised. I shall endeavor properly to repress them, though it is impossible that they should be altogether extinguished. We must indeed fly behind the civilized world. We must pass the dominion of law and the boundaries of knowledge. We must, more especially, withdraw ourselves from this place, and the scenes and objects which here surround us, if we would separate ourselves entirely from the influence of those memorials of herself which ancient Greece has transmitted, for the admiration and benefit of mankind."

In allusion to the doctrines established by Russia, Prussia and Austria, at their holy and august meeting at Laybach, in 1821, he says, "now, sir, this principle would carry Europe back again, at once, into the middle of the dark ages. It is the old doctrine of the divine right of kings advanced now by new advocates, and sustained by a formidable array of power."

One of the extraordinary and most dangerous pretensions advanced by this congress of crowned heads was, their right distinctly asserted, to take a hostile attitude in regard to those States in which the overthrow of their government may operate as an example. These are the very words of this congress, and which Webster pro-

nounced to be a "most flagrant violation of public law and national independence."

"No matter," he says, "what may be the character of the government resisted; no matter with what weight the foot of the oppressor bears on the neck of the oppressed; if he struggles or if he complains, he sets a dangerous example of resistance, and from that moment he becomes an object of hostility to the most powerful potentates of the earth. I want words to express my abhorrence of this abominable principle."

Mr. Webster pursues this strain of lofty eloquence in vindication of the rights of the people of every nation to govern themselves, at great length, and concludes this part of the subject with these emphatic words:

"If the authority of all these governments be hereafter to be mixed and blended, and to flow in one augmented current of prerogative over the face of Europe, sweeping away all resistance in its course, it will yet remain for us to secure our own happiness by the preservation of our own principles; which I hope we shall have the manliness to express on all proper occasions, and the spirit to defend in every extremity."

His biographer informs us that "his words of encouragement were read in every capital, and at every Court in Europe, and in every continental language; they were received with grateful emotions in Greece."

I have consumed more time upon this part of the public services of Mr. Webster, because I have had other means of knowing that the ardent wish of his heart was, that our bright example might spread, from nation to nation, until the freedom of the people should extend over the whole civilized world.

His speech in April, 1826, in favor of the right of the Provinces of Spain in South America, is equally strong and eloquent in support of the right of the people to establish such a government as their own wisdom might dictate.

In the month of June, 1827, Mr. Webster was elected to the Senate of the United States by a large majority of the votes of the two Houses composing the legislature of Massachusetts. The Presidential term of General Jackson, it will be remembered, commenced on the 4th of March, 1829. It will also be remembered, that on the 29th of December, 1829, Mr. Foot of Connecticut, introduced a resolution in relation to the public lands in these words:

Resolved, That the Committee on Public Lands be instructed to enquire and report the quantity of public lands remaining unsold within each State and Territory, and whether it be expedient to limit for a certain period the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And also whether the office of Surveyor General, and some of the land offices may not be abolished without detriment to the public interest.

The consideration of the resolution was not resumed until the 13th day of January, when Mr. Benton of Missouri, spoke against it with his usual ability and with the full force of his characteristic severity. It must be remembered in connection with the present subject, that South Carolina was the State, whose Senators and Representatives in Congress in 1816 were among the ablest and most earnest supporters of the system of protection to the manufacturing industry of the country. No man lent more efficient aid to establish that system than did Mr. Calhoun. But for some years previous to 1830 a change had taken place in the minds of Southern men in

regard to the effects of protective laws upon the great interests of the Southern States. In order to obtain a repeal of those laws, it was contended that they were not only injurious in their general effect, but also that they were *unconstitutional* and *void*. This had become the general sentiment of South Carolina, and had also been largely diffused through all the cotton growing States. It was also contended that the American Constitution is not a constitution established by the people of the United States, but a compact of the several States, and that consequently each State has a right to nullify that compact whenever in its opinion it has been violated by the government of the United States. This pretension embodied itself in the general phrase, the doctrine of Nullification. South Carolina felt her inability to contend single handed against the government of the United States. It therefore became of vital importance to obtain the aid of other States in support of this new and extraordinary doctrine. The Western States at that period were but thinly settled, and their obvious interest was to attract new settlers by very low prices for government lands. The resolution of Mr. Foot was a mere resolution of inquiry. But as it afforded an opportunity to the Representatives from South Carolina to create an ill feeling in the West against New England, and thus gain the aid of the West to their new theory of nullification, it was seized upon with avidity by Colonel Hayne, a Senator from South Carolina. He therefore represented the tariff laws as having originated in New England, and as operating beneficially for New England and injuriously to all the other States. Mr. Benton caught the bait thrown out for the West, and on the 18th of January spoke at great length and with his usual bitterness against the resolution.

Other members took part in the debate, and Colonel Hayne occupied the rest of the day and the whole of the succeeding day.

Up to this time Mr. Webster had taken no part in the debate, but had been occupied with the management of a case in the Supreme Court. He heard only the closing part of Colonel Hayne's argument.

It has been stated, that the speech of Colonel Hayne had made a deep impression on the public mind ; that the friends of nullification all over the city, were highly elated and fully confident of a triumphant victory ; while on the other hand, the friends of the constitution were dejected and dispirited. There is some truth and some error in this statement. It was not the argument of Colonel Hayne in favor of the constitutional right of a State to nullify a law of the United States, that caused those fears and apprehensions. The argument upon that question, notwithstanding the aid furnished him by Mr. Calhoun, required a depth and power of logic which Colonel Hayne did not possess. He entered the field clothed in the armor of Achilles, but he wanted the power and skill of Achilles to use it. He was a gentleman and a scholar, with a flow of musical sentences, and a power of side thrusts well calculated to enlist the West against New England and indirectly in favor of nullification. It was evident that the minds of many had been powerfully impressed. The magnitude of the question alone created an intense anxiety. At no period, upon no occasion has there ever been in this country, or in any country, a spectacle so grand and so novel, so full of danger, and at the same time so peacefully conducted. It involved all the highest interests, not only present but future, of every man in the country. It involved the question of our national

existence. It involved the question of the civil and social freedom of the human race. History records no event in the world's great changes for three thousand years of such deep interest. Poetry has never raised its imagination high enough to catch even a distant view of so sublime and magnificent a spectacle as was that trial of a nation's existence in the American Senate.

The Representatives of the first great and free Republic the world has ever known were there. Their hearts were filled with emotions of the loftiest patriotism.—Most of the minor feelings of party strife and political ambition fled from their bosoms as darkness flees before the sun-light of heaven. Representatives of all the foreign Courts were there. Some of them had read Chatham, and listened perhaps to Pitt, to Fox, to Sheridan and Burke. They felt, and they expressed their feelings, that their blood ran in our veins. They felt, and felt deeply, that the great question of human civilization depended upon the union of these young and giant States, and that if our course continued onward we should draw all other civilized communities after us; that if we failed, mankind would be driven back to feudal darkness and oppression. Many were there who had fought under Washington, and into whose hearts he had breathed his own intense love of country. Men of science, and men of literary eminence were there, and all this vast audience was graced by a gallery of beauty, such as never before looked down upon the deliberations of the Senate.

Such was the occasion, and such the audience. The presence of a hundred Kings, Saxon or Gallic, could have added nothing to its sublimity. The accumulated wealth of the Indies could have added nothing to its lustre.

The great and brilliant victory over the enemies of human freedom there achieved was the work of Daniel Webster alone. There were at that period around him, in Congress and out of Congress, many of the ablest men of the times, men intimately acquainted with the whole scope and all the bearings of the Constitution, men of great learning and great power. Had they deemed it necessary, they could have aided the great cause with a high order of eloquence and a profound power of logic. Yet, as I was informed at the time, so great was their confidence in the vast resources of his unsurpassed, if not unequalled mind, that they did not furnish him with a single suggestion. They feared that they might dim his broader and clearer vision with their own lesser lights. They left him alone; they left him to encircle his brow with a crown of glory, which, from the days of the Mede and the Persian down to the present, has never encircled the brow of hero, or statesman, of emperor or king. From that period to the present, "if the Tartar and the Arab have not conversed about him in their tents," every American heart has "swelled with a just and noble pride, at the mention of his name."

After this signal overthrow in her appeal to the wisdom of our national rulers, South Carolina threatened an appeal to arms. At the close of 1832, the doctrine of nullification was recommended by a State Convention. "This decisive act," says Mr. Everett, "aroused the hero of New-Orleans. Confidential orders to hold themselves in readiness for active service were sent in every direction to the officers of the army and the navy. Prudent and resolute men were quietly stationed at the proper posts. Arms and munitions in abundance were held in readiness, and a chain of expresses in advance of the mails

was established from the Capital to Charleston. These preparations made, the Presidential proclamation of the 11th of December, 1832, was issued. It was written by Edward Livingston, then Secretary of State, from notes furnished by General Jackson himself, *but there was not an idea of importance in it which may not be found in Mr. Webster's speech on Mr. Foot's resolution.*

This was met by a counter proclamation of Governor Hayne, of South Carolina ; and on the 16th of January "a bill to provide for the collection of duties on imports," was introduced into the Senate upon the suggestion of the President.

On the following day Mr. Calhoun introduced a series of resolutions in the Senate, affirming the power of a State to nullify an act of Congress. On the 15th and 16th of February, he spoke in opposition to the Force bill, and in support of his resolutions. Mr. Everett observes that "on this occasion the doctrine of nullification was supported with far greater ability than it had been by Colonel Hayne." Mr. Webster replied to Mr. Calhoun on the 16th and 17th, in a speech, which for close, compact reasoning, lucid arrangement, and the clear, broad path of light which runs through it from beginning to end, exceeds all other speeches which it has ever been my good fortune to examine. The great argument of Demosthenes upon the Crown approaches the nearest to it.

His speech in reply to Colonel Hayne is more exhilarating. It embraces a greater variety of topics. It is evident, from the beginning to the end of that reply, that he treated Colonel Hayne as a kind-hearted giant would play with a child. He would lift him up and ease him down gently and good naturedly.

It was with a different feeling that he replied to Mr. Calhoun. He felt that he had a labor before him. The reasoning of the great nullifier is as close as is that of Mr. Webster. Admit the proposition that he starts with and you admit the whole doctrine of nullification. The proposition was, that the Constitution is a *compact* between the *States*. If so, then the States must necessarily be the judges of what is a violation of the compact. Mr. Webster denied the proposition and disproved it by almost every line and letter of the Constitution itself. Whatever calamities may waylay and beset our future path, we may rest assured that no future statesman will have the hardihood to call up even the ghost of nullification.

This last speech from Mr. Webster drew a highly complimentary letter from the venerable James Madison, one of the framers of the Constitution, in which he coincides with all the views he had presented.

The bill introduced into the House of Representatives to provide for the collection of the revenue, by using force should it be necessary, met with opposition. Mr. Everett informs us "that the aid of Mr. Webster was personally solicited in the great debate by a member of the Cabinet, but it was not granted until the bill had undergone important amendments suggested by him, when it was given cordially, without stint and without condition."

Without descending to further particulars, I will remark, that throughout this period of the severest trial of the strength of our Constitution and government, General Jackson depended not upon his Cabinet, nor upon any of the leading men of his own political faith, but upon DANIEL WEBSTER.

I now approach another great event in the life of Mr. Webster ; an event which fully shows that he was not merely the most eloquent living orator, but the most far-seeing and energetic diplomatist of the age in which he lived, if not of all preceding ages. It evinces also, and most fully evinces, that, although he had political opinions and political friends that he held in high esteem, he also had a heart for his country, and that for that country he would sacrifice all minor ties. He made the sacrifice promptly and unhesitatingly ; and it is certain, very certain, that but for him and him alone, unaided and unassisted, this country would have been involved in a long and bloody war with Great Britain, or in commercial distresses and border forays, almost as destructive as war itself. I refer, I need not say, to the Ashburton treaty.

The causes which, but for him, would have led to a rupture with Great Britain, were numerous and threatening. The British government, in order to put an end to the trade in human flesh, had, at different times, entered into compacts with several of the different governments of Europe, authorising a mutual right of search by the armed cruisers of each. This right, the government of the United States had refused to acknowledge. In 1841 it was conceded by France, by Russia, and by Austria and Prussia ; but owing in a great degree to the arguments of Mr. Webster, the treaty was finally annulled and its entire doctrine repudiated. The British government gave up the right of search, but for a considerable time contended for the right to *visit* vessels suspected of being concerned in the African slave trade. Mr. Webster demonstrated so clearly that the right to visit necessarily embraced the right to search, that this

claim was also abandoned. His ground was that the American flag should protect itself, and the leading journals of Europe acknowledged that a death blow had been given to the whole English doctrine of impressment, of search and of visit.

It must be remembered that when Mr. Webster came into the Cabinet of President Harrison, the prospect of a war was threatening; and that Mr. Stevenson, our Minister in London, felt it to be his duty to open a correspondence with the commander of the American squadron in the Mediterranean.

Notwithstanding the death-blow which had been given to the doctrine of impressment, there remained two other subjects of dispute—the trial of McLeod for the destruction of the American steamboat *Caroline* in our waters, and the long standing controversy in relation to our northern boundary line. McLeod, however, was acquitted by a New-York jury, on the ground that he was a British soldier, and had acted under the orders of his commanding officer, and that those orders had been confirmed by the British government.

The preeminence of the mind of Mr. Webster over the minds of all the greatest statesmen of the age in which he lived, was fully exhibited in the management of the exciting controversy in relation to our northern line. That controversy had been the subject of negotiation for fifty-eight years. It had employed the best talents of the statesmen of both countries for a large portion of that period. The King of the Netherlands had been appointed arbitrator by the two governments, and he made a report which dissatisfied both parties. General Jackson undertook the settlement of the complicated dispute, with the successive aid of Mr. Van Buren, Mr. Livings-

ton, Mr. McLean and Mr. Forsyth. In every message from the beginning to the end of both his administrations, one prominent feature was the failure of all attempts to settle this long standing controversy. Mr. Van Buren, during the four years of his administration, did all that he could do. He made and he received propositions. But what satisfied one party dissatisfied the other, and at the close of his administration the aspect of affairs was more threatening than at any former period. In the meantime, outbreaks had taken place on the border land, which seriously threatened the peace of the two nations. In 1839, the State of Maine placed in the hands of the Governor eight hundred thousand dollars for military purposes, and raised a little army to defend the line to which she claimed. It was observed that thus far everything had awaited "the sluggish flow of the current of diplomacy." It had also been proposed to leave the whole dispute to three Kings, authorizing them to invoke the aid of three scientific men.

Soon after Mr. Webster was appointed Secretary of State, he proposed to the British Minister to establish a conventional line. This proposition was made known to Sir Robert Peel, who at once advised its acceptance without delay. Lord Ashburton was named as the person best qualified to conduct the negotiation. He at first declined it, but upon reflecting upon the subject, he was induced to accept it. He said his scruples were removed in a great degree by the exalted opinion he had formed of Mr. Webster when in England. He came to this country. The proposition of Mr. Webster was submitted to him and accepted. He also proposed that all parties having any interest in the question in dispute should have a voice in determining the line. He

therefore invited Maine and Massachusetts to send Commissioners to Washington. A special session of the legislature of Maine was called, and four Commissioners selected from her wisest and ablest men were sent to Washington. In other words, the parties alone interested in the controversy were brought together. England, the United States, Massachusetts and Maine, settled the whole controversy in about as many hours as it would take two neighboring farmers disposed to live amicably together, to settle a line involving a few rods of land on one side or the other. This treaty was submitted to the Senate of the United States, and confirmed by an almost unanimous vote. Thus terminated a controversy of fifty-eight years duration, which carried us at times to the very verge of war with a nation, with which it was our highest interest to remain at peace.

I believe that I may safely say that no instance can be found in modern diplomacy, of the settlement of a national question involving important national interests, with so much dispatch, so little expense, and in a manner so entirely satisfactory to men in all parts of the country, and of all political opinions.

You may well imagine that, as Mr. Webster's mind first suggested this simple and obviously only mode of bringing this controversy to a peaceful termination, much of the labor must also have devolved upon him. This was probably the fact. But all labor was light to him in the service of his country. He brought to that great effort the heart of a Patriot and the capacious mind of a lofty Statesman. He saw that upon his untiring efforts depended the onward march of a great and a free people, and he never faltered in his course until the splendid work was fully accomplished. While we lament his

death, we rejoice that he was born upon American soil, that he toiled not for himself, but for American freedom and American renown, and that he has left behind him a body of American law and American literature which will be coeval with the language of his native land.

My friends there is a degree of intellectual greatness beyond the reach of eulogy ; there is a universality of admiration more eloquent than language ; there is a sublimity of moral grandeur, which neither the poet, the historian, nor the orator can adequately portray. Who now thinks of conveying to another mind a full picture of the lofty narrative of Thucydides, the soul-stirring and life-like scenes of Shakspeare, the severe logic and terrific denunciations of Demosthenes, or the moral grandeur and enduring patriotism of Washington ? Language alone is inadequate to the full performance of such a task.

It is a truth universally acknowledged by men of all religious persuasions and all political faiths, that by the death of Mr. Webster, we have lost not only a great man, but a sincere patriot. He had a great head and a great heart. There was no stinted measure about him. He seemed in all respects to have been made for the period in which he lived. He seemed to have been designed and set apart for the performance of labors which no other man, in our day, could so well perform. All the Herculean task of sustaining our inimitable Constitution against the attacks " of sophists, calculators and economists " rested, as did the heavens upon Atlas, upon the shoulders of Daniel Webster.

As a general truth, whenever a question arose, not connected with party politics, which in any wise involved the constitutional powers of the general government,

Mr. Webster was appealed to for light, which could be provided by no other mind.

But it was not upon great occasions alone that his great powers were manifested. It was not the loftiness of the subject that conferred such a power and dignity of mind. On the contrary, every subject seemed to derive additional dignity from the ease, the simplicity, and the naturalness with which he discussed it. Whether it was the interpretation of the Constitution in the Senate, or the cheerful conversation of the fire-side, he was generally more instructive and interesting than most other men. His humor was of the same family as his logic. The playfulness of his mind was as fascinating as its loftier and more intense workings were majestic and commanding. He was a sort of intellectual Achilles, and would often demolish the argument of his Hector in a single circuit around its bulwarks. He would often comprehend all the vital parts of a complicated case in a single proposition.

Place him wherever we might, his mind seemed at once to adjust itself to the occasion. Its power of contraction or enlargement seemed to me above that of any other man I ever met with. I have been with him more than once, when the Colossus who approached nearer to him than any other of the great men I have seen him with, was present. By this you will understand that I refer to Mr. Calhoun. I have been with him when lawyers and orators, book makers and book readers, and now and then a man of science were present. I have also been alone with him on the banks of the trout brook and on the rocks of the ocean coast, and I do not remember that I ever parted with him without an increased admiration of his mind. He not only brought more

than his share of wisdom and learning to every intellectual banquet, but more also of humor. His very presence elevated our conception of the dignity of man ;

“ A combination and a form indeed,
Where every God did seem to set his seal,
To give the world assurance of a man.”

At times he has also transported my mind to a belief in the entire truth of the beautiful remark of Bolingbroke : “ Socrates entered a prison with the same countenance with which he subdued the thirty tyrants. He took from off the place its ignominy. For how could it be a prison while Socrates was there ?”

But, my friends, it was not my object to present to your minds the whole of the mental character, or many even of the valuable public services of Daniel Webster, but to confine myself mainly to his lofty, uniform and untiring efforts to impress upon the public mind the great truth, that our prosperity, our peace, and all that is valuable in life, depend upon the preservation of the Constitution. To this great work he devoted nearly his whole life. To this he sacrificed pleasure, fortune and all party attachments. Wherever and whenever an attack was made upon the Constitution by friend or foe, Daniel Webster was seen upon its outward wall, proclaiming in words of living light :

“ While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and for our children. Beyond that, I seek not to penetrate the veil. God grant in my day, at least, that curtain may never rise ! God grant that on my vision never may be opened what lies behind ! When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments

of a once glorious Union ; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood. Let their last feeble and lingering glance rather behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto, no such miserable interrogatory as *What is all this worth?* nor those other words of delusion and folly, *Liberty first and Union afterwards* ; but everywhere spread all over in characters of living light, blazing on its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart, ' Liberty and Union, now and forever, one and inseparable.' "

This is but one of the outpourings of that mighty heart, every throb of which was for his country. His first and strongest desire was the permanent union of these States for the sake of the States. His next, that, influenced by our example, all the civilized nations of Europe, might in time come within our principles and adopt our institutions. He embraced the freedom of the world in his broad and capacious mind. He must have seen that the time for so great a change, if not at hand, is not far removed in the future. Although God, for some wise purpose to us unknown, has inseparably connected moral good and moral evil in all the great elements of nature, yet we also know that in the progress of human society, the good has been gradually gaining upon the evil.

Both the Greek and the Roman were military republics. They began the great work of human civilization,

but they began with inadequate means and they failed. The countries over which they ruled, were conquered by countless hordes of barbarians, and darkness for a time seemed to reign over the entire globe. Yet amid this darkness a ray of light remained. Hordes of Scandinavian pirates overran and inhabited the British Isles. That ray of light expanded itself into Magna Charta, and Magna Charta, under the influence of the Saxon spirit, expanded itself with a broader and purer effulgence, into the American Constitution. Through all these great changes, the great principles of human freedom were gaining strength, slowly and gradually, but gaining. Amid the ocean of blood that has been spilled in modern Europe, it is still certain that she has advanced in civilization for the last two centuries. The tyrant's rod has often been wielded by the Saxon arm of England, and poverty has been confined to its destitution by oppressive and arbitrary laws. The English poor of the present day are continued poor by the unequal distribution of property in former days, and by too large a population for so small a space. God in his wisdom has provided a remedy for this evil, a remedy which human wisdom did not even dream of ten years ago. The means of emigration to this country have increased ten fold within that period. Within that period also, gold has been discovered in California and Australia. California is nearly ten times as large as the three British Islands. Australia contains more square miles than the whole continent of Europe. Steam is transporting thousands upon thousands, probably nearly half a million a year, to this country and to Australia. The rich, the well educated, and the pauper, work side by side upon the same farm and in the same mine. English newspapers and English

Reviews already begin to complain that the labor of their country will soon be insufficient to supply the necessary demand. The price of labor will therefore rise, and rise with a rapidity never before known. The balance of social wants and dependencies is changing, and changing rapidly. The poor will not much longer depend upon the rich for employment, but the rich will depend upon the poor for labor. Would it be among the wildest dreams of the imagination, should we say that the time is not far distant when we shall pay the debt we owe to England for the Saxon blood she gave us, by favoring her with a copy of the American Constitution?

It is not given us to know the future. We can form some judgment, however, of coming events from the constantly increasing and enlarging agencies of the two great instruments of human intelligence and human freedom,—the spirit of commerce and the spirit of the press.

It has been said, or imagined, that lofty mountains of hard and solid rock have been worn down to the level of the earth by the corrosion of the atmosphere. But commerce and the press together will make much shorter work with Austria, Russia and Prussia. Nothing but a wall of fire as broad and as high as the Andes can protect them from the influence of these great levelling agencies. Such agencies have never before existed. Their sphere of action is every day enlarging. Like the great elements of nature, they produce much of evil, but much more of good.

We have all of us, perhaps, indulged too much in bitter anathemas against English severities and encroachments upon the rights of the semi-barbarous races of Hindostan. But moral evil and moral good seem to go hand in hand in the great work of human civilization. We

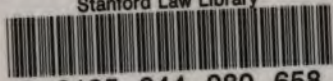
have exterminated more than half the savage tribes of this country, and who regrets it. England has her hold upon Burmah and Siam, and in time she will pass through China to the Pacific. Her arms will be accompanied by her laws and her literature, and those great civilizers of modern days, commerce and the press. Before those who are just beginning life shall become old, our commerce, our language and our laws will be planted on both sides of the great Pacific, and "Hail Columbia! happy land," will ascend in the voices of millions of freemen, for more than a thousand miles along the islands of Japan.

Nothing can prevent this prevalence over the world of our institutions, but the entire failure of the great experiment in this extended country.—Therefore, said Mr. Webster, hold on to the Union. If we fail, the cause of free governments throughout the world will fail. Despotism will sharpen its sword and strengthen its arm, and superstition again unfurl her blood stained banner. Let us therefore hold on our course a little longer, a little longer.

Daniel Webster our greatest statesman, the giant intellect of the age, has left us. But he has left his own great works behind him. We have also the works of other great minds, the railroad and the telegraph. These iron chains are binding these States closer and closer together. A knowledge of the comforts, the intelligence, and the power of a great and free people, is spreading wider and wider over the world. By the aid of steam it has become a mere relaxation from toil, to cross the wide Atlantic. American newspapers and American men, are daily addressing the European mind in European languages. The seed is planted. The planters are still

at work, widening that field and enriching that soil. Hold on a little longer, a little longer, to the work which employed his whole life, the success of which was the great hope of his broad and expansive heart. Hold on to the Constitution and the Union, *now and forever*.

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